

DEPARTMENT OF WATER RESOURCES

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December 14, 2015

via email: commentletters@waterboards.ca.gov

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
Executive Office
Cal/EPA Headquarters
1001 I Street, 24th Floor
Sacramento, CA 95812



Dear Ms. Townsend:

The California Department of Water Resources (Department) respectfully submits the following comments regarding the recently circulated, December 7, Draft Order Denying in Part and Granting in Part Petitions for Reconsideration of and Addressing Objections to the Executive Director's February 3, 2015 Order and Subsequent Modifications to that Order that Approved Temporary Urgency Changes in Licenses and Permit Terms and Conditions for the State Water Project and Central Valley Project (Draft Order).

The Department recognizes the importance of the planning efforts contained in the Draft Order. The State Water Resources Control Board (State Water Board) Draft Order mirrors the thinking of the Department to the extent that it contemplates the development of a Drought Operations Plan for 2016. The Department and the US Bureau of Reclamation (Reclamation) are in discussions regarding such a plan and, consistent with past practice, will coordinate with the fisheries agencies and keep the Real Time Drought Operations Management Team (RTDOT) informed of its progress.

The recent completion of the Draft 2016 Drought Contingency Plan, drafted in coordination with the six agencies involved in RTDOT, is the initial document that contemplates actions necessary under a variety of circumstances that may come to pass in 2016. This multi-agency drafting effort represents a significant level of subject matter expertise in fish and wildlife protection, hydrology, and operational knowledge of the State Water Project (SWP) and Central Valley Project (CVP). These experts found that it is too early to have an accurate prediction of hydrology and that specific operational criteria should await better data in January. Adequate protection of reservoir storage levels can be achieved with the creation of a Drought Operations Plan, and any subsequent Temporary Urgency Change Petition filed by the Department and US Bureau of Reclamation.

The Department appreciates the participation of State Water Board staff in the RTDOT and the attention and engagement on these critical issues by the State Water Board members. As we move into January and consider the information available at that time it will be helpful for this level of interaction to continue through RTDOT and in front of the State Water Board meetings.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JM', with a stylized flourish extending to the right.

James Mizell, Sr. Attorney
Office of the Chief Counsel